

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DAVID WHITCOMB,

Plaintiff,

-against-

9:04-CV-223
(LEK/DRH)

REUEL A. TODD, Sheriff of Oswego County;
RICHARD THOMPSON, MD, Medical
Administrator of Oswego County Jail Health
Program; DR. GREGORIE, Medical Director,
Five Points Correctional Facility; CYNTHIA
DELANEY, Oswego County Jail; and JULIE
DEMM, Nurse, Oswego County Jail,

Defendants.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on August 5, 2008, by the Honorable David R. Homer, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c) of the Northern District of New York. Report-Rec. (Dkt. No. 73).

Within ten days, excluding weekends and holidays, after a party has been served with a copy of a Magistrate Judge's Report-Recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," FED. R. CIV. P. 72(b), in compliance with L.R. 72.1. No objections have been raised in the allotted time with respect to Judge Homer's Report-Recommendation. Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Accordingly, it is hereby

ORDERED, that the Report-Recommendation (Dkt. No. 73) is **APPROVED** and

ADOPTED in its **ENTIRETY**; and it is further

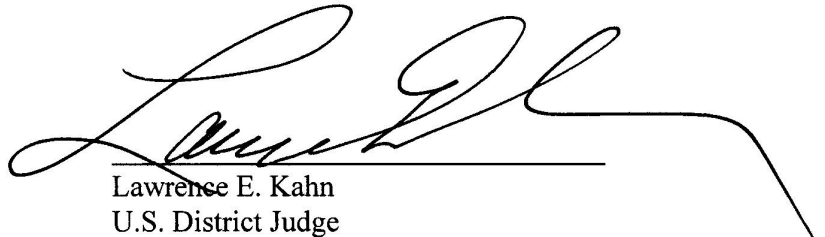
ORDERED, that Defendants' Motions for Summary Judgment (Dkt. Nos. 66-68) are
GRANTED in all respects; and it is further

ORDERED, that Plaintiff's Amended Complaint (Dkt. No. 36) is **DISMISSED with**
prejudice against all Defendants; and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: September 03, 2008
Albany, New York



Lawrence E. Kahn
U.S. District Judge